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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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August 24, 2005

FACSIMILE COVER SHEET

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AUG 24 2005

To: Attn: Examiner Melanie Torres
Art Unit: 3683
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: David W. Dorton

Fax: (571) 273-8300

Re: Our File: WUE-29
U.S. Application Serial No. 10/718,325
Filed November 20, 2003
ELECTRO MECHANICAL BRAKE
WITH SELF-BOOSTING AND
VARYING WEDGE ANGLE
Schautt et al.

Pages: 5 (including cover sheet)

MESSAGE/COMMENTS


Attached herewith is a
Notification of Loss of Entitlement to Small Entity Status and a
Payment of Deficiency Owed Resulting from Previous Erroneous Payment of Small
Entity Fees submitted in the above-identified application.

PLEASE DELIVER IMMEDIATELY TO
EXAMINER MELANIE TORRES
ART UNIT 3683

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AUG 25 2005

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<p><u>Certificate of Facsimile under 37 CFR 1.8</u></p> <p>I hereby certify that this correspondence for Application No. 10/718,325 is being facsimile transmitted to the United States Patent and Trademark Office, Technology Center 3600, via Central Fax Number (571) 273-8300, on August 24, 2005.</p> <p> _____ David W. Dorton, Registration No. 51,625</p> <p><u>August 24, 2005</u> _____ Date</p>

PATENT

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AUG 24 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/718,325
Filed: November 20, 2003
Art Unit: 3683
Examiner: Melanie Torres
Applicant: Martin Schautt
Title: ELECTROMECHANICAL BRAKE WITH SELF-BOOSTING AND
VARYING WEDGE ANGLE
Attorney Docket: WUE-29
Confirmation No.: 1055

Cincinnati, Ohio 45202

August 24, 2005

Mail Stop Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTIFICATION OF LOSS OF ENTITLEMENT TO
SMALL ENTITY STATUS (37 C.F.R. §1.27(g)(2))**

Applicants hereby notify the Patent and Trademark Office that they are no longer entitled to status as a small entity for this application, effective as of September 17, 2004, as a result of a merger of the Assignee with a larger company. Thus, small entity status which was originally established in good faith, and fees as a small entity were paid in good faith, so remain until the September

17, 2004 date. To excuse any fees paid after September 17, 2004, Applicants submit herewith a deficiency payment and an itemization of those payments.

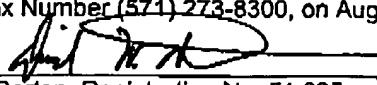
Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 

David W. Dorton, Reg. No. 51,625

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
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Serial No.: 10/718,325
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August 24, 2005

Mail Stop Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PAYMENT OF DEFICIENCY OWED RESULTING FROM PREVIOUS ERRONEOUS
PAYMENT OF SMALL ENTITY FEES (37 C.F.R. § 1.28(c))**

In order to excuse Applicants' error in small entity status in accordance with 37 C.F.R. § 1.28(c), authorization is herein provided to charge deposit account, \$395.00 for the deficiency owed. In a paper filed on even date herewith, Applicants

Adjustment date: 08/25/2005 SLUANG2
11/26/2003 MBIZUNES 00000017 10718325
01 FC:2001 -385.00 OP

08/25/2005 SLUANG1 00000001 233000 10718325
01 FC:1001 405.00 DA 385.00 OP

hereby notify the Patent and Trademark Office that they are no longer entitled to status as a small entity.

Calculation of Deficiency Owed (37 C.F.R. § 1.28(c)(2)(i))

In accordance with 37 C.F.R. §1.28(c)(2)(i), the deficiency owed is \$395.00.

Itemization of Deficiency Payment (37 C.F.R. § 1.28(c)(2)(ii))

In accordance with 37 C.F.R. §§1.28(c)(2)(ii) (A) and (B), the following fees were erroneously paid as a small entity:

- 1) Request for Continued Examination \$395.00 Paid on 02/28/2005

The current fee amounts for non-small entities are:

- 1) Request for Continued Examination \$790.00

In accordance with 37 C.F.R. §1.28(c)(2)(ii) (C), the deficiency owed amount is \$395.00.

- 1) Request for Continued Examination \$395.00

In accordance with 37 C.F.R. §1.28(c)(2)(ii) (D), the total deficiency payment owed amount is \$395.00.

Please apply these fees to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: 

David W. Dorton, Reg. No. 51,625

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